

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SHARAE MAYES, }
Plaintiff(s), }
vs. }
SMART AND FINAL INC., et al., }
Defendant(s). }

Case No. 2:17-cv-01136-JAD-VCF

ORDER

(Docket Nos. 53, 54)

Pending before the Court is a stipulation to continue the early neutral evaluation set in this case. Docket No. 53. For good cause shown, that stipulation is **GRANTED** and the early neutral evaluation is **CONTINUED** to 9:30 a.m. on August 25, 2017. The parties shall submit their early neutral evaluation statements by 3:00 p.m. on August 18, 2017. In all other respects, the requirements outlined in Docket No. 49 continue to apply.

Also pending before is Defendants' motion for attendance exceptions at the early neutral evaluation, arguing that the individual defendants should not be required to appear because the claims against them fail as a matter of law as explained in the pending motion to dismiss. Docket No. 54. United States District Judge Jennifer A. Dorsey has set a hearing on that motion to dismiss for July 31, 2017, Docket No. 52, or nearly a month before the current date set for the early neutral evaluation as established above. Given these circumstances, the Court finds consideration of this motion for exceptions at the early neutral evaluation based on speculation as to how Judge Dorsey will resolve the

1 motion to dismiss to be premature. Accordingly, the motion for attendance exceptions is **DENIED**
2 without prejudice.

3 IT IS SO ORDERED.

4 Dated: June 26, 2017

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6 Nancy J. Koppe
United States Magistrate Judge

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